

Refining Timelines to Improve Predictability and Cost-Efficiency of Required Local Land-Use Plan Updates

The problem

Local land-use plans need to be periodically updated to address changes to local conditions, advances in science, and legislative requirements. The Legislature required periodic updates under both the state Growth Management (GMA) and Shoreline Management Acts (SMA) to ensure the state's interest and local concerns continue to be addressed.

Until 2010, updates under these two land-use laws were required on the same schedule. However, local governments and other interests told the state that requiring concurrent updates under both Acts created unworkable burdens for them. The state budget crisis also made it impossible to fund both GMA and shoreline master program updates. SMPs are the mechanism for putting new shoreline development regulations and policies in place under the SMA. As a result, the 2010 Legislature adopted Senate Bill 6611 creating a three-year shift in GMA update deadlines. Lawmakers also temporarily removed grant funding for GMA updates from the state budget.

There is opportunity to make the required periodic GMA and SMA updates more affordable, efficient, and effective. Problems with existing statutes include:

- Future state funding for GMA and SMA periodic updates is uncertain. State funding levels for periodic updates have varied significantly, and used multiple funding sources. There are currently two separate state funding sources for the 2009-11 SMA updates, and no state funding available for upcoming GMA updates. Uncertain state funding levels make it difficult for local governments to effectively evaluate their plans and determine the scope of a periodic update they can address.
- The current framework is poorly suited to effective state funding for local updates. The four groups of local governments listed in the current statutes are inconsistent in size. For example, there are twice as many local governments in some groups than others. This makes it difficult to effectively manage annual state budget allocations to support local land-use planning.

WHY IT MATTERS

Predictability in land-use planning procedures is critical for all interests. Yet there is no predictability that state funding will be provided in future years to support local planning efforts.

The best path for long-term success is refining the timetable for GMA and SMA updates, in combination with developing a long-term funding strategy designed to help local governments make timely revisions to their land-use plans.

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- Land-use plan updates are complex multi-year, multi-step projects. Right now, if a local government does not spend their state funding at a rate pre-determined by the grant agreement, the money is “swept” back at the end of each state fiscal year. Local and state officials are committed to be accountable and ensure that grant funds are spent effectively. However, the annual expenditure “deadline” often leads to loss of funding, even where there is a good reason for the spending delay.

The solution

Refine deadlines and establish a long-term fund to support local plan updates at less cost than currently being provided.

The proposed legislation

- Creates a dedicated account for land-use planning act implementation to support on-going grants for GMA and SMA updates. Under this proposal, funding for this account could be less per biennium than is being provided currently due to refining timelines to avoid overlapping grant schedules within the same biennium.
- Refines the annual groups of local governments used in the statutory deadline schedules to even out the need for future state grant funding. Four groups are proposed, all roughly equal in size, instead of the current unevenly sized groups of local governments.
- Shifts the scheduled update deadlines to align with state biennial cycle, so that local governments update GMA and SMA plans at least every 8 years. Deadlines for planning updates would match state fiscal years to simplify grant management.

How it will benefit Washington

The proposal will benefit all parties interested in local land-use policies and regulations by:

- Maximizing cost-effectiveness of state funding for local updates by matching update deadline requirements to state budget cycles.
- Ensuring predictability in timing and funding for local land use plan updates.

More information

Visit the Department of Ecology’s Legislative website at <http://www.ecy.wa.gov/legislature.html>.